IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6378 of 1995

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

NIZAR VIBHAG SAHKARI KHAND UDYOG MANDLI LTD.,

Versus

STATE OF GUJARAT

Appearance:

MR SV RAJU for the Petitioner No. 1
..... for Petitioner No. 2
MRS HARSHA DEVANI, AGP for Respondents Nos. 1-3

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 03/02/2003

ORAL JUDGEMENT

The petitioners before this Court are a sugar

cooperative society (hereinafter referred to as 'the Society') and the President thereof. The petitioners have prayed that the respondent Authorities be directed to initiate winding up proceedings against the Society and to replace the then Board of Directors by appointing a custodian.

Mrs.Devani, the learned AGP places on record copy of the order dated 3rd March, 1999. The copy is ordered to be taken on record. On perusal of the said order, it appears that by order dated 14th June, 1996, the Society was ordered to be wound up as envisaged under Section 107(1) of the Gujarat Cooperative Societies Act, 1961 (hereinafter referred to as 'the Act'). A Liquidator was appointed as envisaged under Section 108 of the Act and, on completion of winding up proceedings, order has been made cancelling the registration of the Society. In view of the said order, the present petition shall not survive.

The petition is accordingly disposed of. Rule is discharged. There shall be no order as to costs.

(Ms. R.M. Doshit, J.)

/sakkaf